

Message Text

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ACTION EUR-12

INFO OCT-01 ARA-14 ISO-00 CIAE-00 DODE-00 PM-05 H-02
INR-10 L-03 NSAE-00 PA-02 SP-02 SS-15 ACDA-12
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O R 211326Z JUN 78
FM AMEMBASSY THE HAGUE
TO SECSTATE WASHDC IMMEDIATE 2840
INFO AMEMBASSY BONN
AMEMBASSY BRASILIA
AMEMBASSY BRUSSELS
AMEMBASSY LONDON
AMEMBASSY VIENNA

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USEEC ALSO FOR EMBASSY

USIAEA

E.O. 11652: NA
TAGS: ENRG MNUC PARM TECH BR GW NL UK
SUBJECT: NON-PROLIFERATION: DUTCH GOVERNMENT LETTER TO SECOND
CHAMBER REGARDING URENCO DELIVERIES OF ENRICHED URANIUM
TO BRAZIL

REF: THE HAGUE 3400

THE FOLLOWING IS THE FULL TEXT OF THE LETTER OF JUNE 20
FROM THE DUTCH CABINET TO THE SECOND CHAMBER REGARDING THE
URENCO/BRAZILIAN CONTRACT FOR THE SUPPLY OF ENRICHED URANIUM.

BEGIN TEXT:

1. SINCE THE SECOND CHAMBER ON FEBRUARY 1 ADOPTED RESOLU-
TIONS NO 19 AND 20, MOVED BY MESSRS. VAN HOUWELINGEN
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AND PORTHEINE, MANY ACTIVITIES HAVE BEEN CARRIED OUT BY THE
GOVERNMENT, AND NOTABLY BY THE PRIME MINISTER AND THE MINISTER
OF FOREIGN AFFAIRS, TO IMPLEMENT THESE RESOLUTIONS. IN
ADDITION THERE HAVE BEEN CONSULTATIONS ON AN OFFICIAL LEVEL.

2. THE MINISTER OF FOREIGN AFFAIRS SUBMITTED AN INTERIM
REPORT ON PROGRESS AT THE MINISTERIAL LEVEL ON MARCH 9. ON

APRIL 13 THIS MINISTER GAVE THE SECOND CHAMBER FURTHER INFORMATION DURING THE DEBATE ON THE RESULTS OF THE COPENHAGEN MEETING OF THE EUROPEAN COUNCIL. MOREOVER, THE PREVIOUS HISTORY OF URENCO SUPPLIES TO BRAZIL WAS EXPLAINED EXTENSIVELY ON APRIL 26 ON THE OCCASION OF AN INTERPELLATION OF THE MEMBER, MR JANSEN.

3. THE MINISTER OF FOREIGN AFFAIRS HAD AN INTERVIEW WITH HIS BRITISH OPPOSITE NUMBER ON FEBRUARY 7. ON FEBRUARY 24 HE HAD TALKS IN BONN WITH HIS GERMAN OPPOSITE NUMBER AND THE LATTER'S STATE SECRETARY HERMES. THE MINISTER OF FOREIGN AFFAIRS, HAVING BEEN SO INVITED BY HIS GERMAN OPPOSITE NUMBER, USED THE OCCASION OF THE STATE VISIT OF THE PRESIDENT OF BRAZIL TO THE FEDERAL REPUBLIC TO INFORM THE BRAZILIAN MINISTER OF FOREIGN AFFAIRS OF THE CONTENT OF RESOLUTION NO 19 AND THE VIEWS EXPRESSED IN THIS RESPECT IN THE CHAMBER. ON THE OCCASION OF THE EUROPEAN COUNCIL MEETING IN COPENHAGEN ON APRIL 7 AND 8, THE PRIME MINISTER SUBSEQUENTLY HAD TALKS WITH THE GERMAN FEDERAL CHANCELLOR AND THE BRITISH PRIME MINISTER, FOLLOWED BY JOINT CONSULTATIONS BETWEEN HIMSELF AND THE THREE MINISTERS OF FOREIGN AFFAIRS. FURTHER TO THESE TALKS THE NETHERLANDS PRIME MINISTER ADDRESSED HIMSELF IN WRITING TO THE PRIME MINISTER AND THE FEDERAL CHANCELLOR ON APRIL 14. THESE LETTERS WERE ANSWERED ON MAY 5 AND MAY 11. MOREOVER, THE MINISTER OF FOREIGN AFFAIRS HAD CONSULTATIONS WITH HIS TWO OPPOSITE NUMBERS IN THE MARGIN OF VARIOUS INTERNATIONAL MEETINGS AND DISCUSSED THE MATTER WITH HIS AMERICAN OPPOSITE NUMBER AND HIS OFFICIALS

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CONCERNED WITH NUCLEAR POLICY DURING A VISIT TO WASHINGTON IN APRIL. ON JUNE 1 HE SPOKE WITH THE DIRECTOR GENERAL OF IAEA, MR EKLUND, ON THE ROLE WHICH IAEA MIGHT BE ABLE TO PLAY IN DESIGNING A PLUTONIUM STORAGE REGIME.

4. IT WAS FOUND DURING THE CONSULTATIONS WITH THE BRITISH AND GERMAN DISCUSSION PARTNERS THAT THEY WERE BASING THEMSELVES ON THE FOLLOWING CONSIDERATIONS:

A. THE IMPORTANCE OF THE URENCO COOPERATION IS RECOGNIZED. THEY ARE THEREFORE SHOWING A POLITICAL WILL TO MEET THE NETHERLANDS AS FAR AS POSSIBLE. THE AMERICAN SIDE, TOO, UNDERSCORED THE IMPORTANCE OF MAINTAINING THE TRIPARTITE URENCO COOPERATION AS AN EXAMPLE OF THE SO GREATLY DESIRED MULTINATIONAL COOPERATION IN THE FIELD OF NUCLEAR ENERGY, AND CONTINUED NETHERLANDS PARTICIPATION THEREIN, IN ANY WAY WHATEVER, IN THE INTEREST OF THE NON-PROLIFERATION OF NUCLEAR WEAPONS.

B. THE CONTRACT SIGNED WITH BRAZIL IN SEPTEMBER 1976 WILL BE CARRIED OUT AT ANY RATE. SHOULD THE NETHERLANDS FAIL TO COOPERATE, THEN THE TWO OTHER COUNTRIES WILL SEE TO IT THAT THE CONTRACT IS CARRIED OUT. THIS WOULD PROBABLY MEAN ABROGATION

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O R 211326Z JUN 78
FM AMEMBASSY THE HAGUE
TO SECSTATE WASHDC IMMEDIATE 2841
INFO AMEMBASSY BONN
AMEMBASSY BRASILIA
AMEMBASSY BRUSSELS
AMEMBASSY LONDON
AMEMBASSY VIENNA

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OF THE ALMELO TREATY IN 1981.

C. ALL THREE URENCO PARTNERS ATTACH GREAT IMPORTANCE TO
PREVENTING THE PROLIFERATION OF NUCLEAR WEAPONS. FOR THIS REASON
THE UNITED KINGDOM AND THE FEDERAL REPUBLIC, TOO, ARE ATTACHING
VITAL SIGNIFICANCE TO A TIMELY ESTABLISHMENT OF A PLUTONIUM
STORAGE REGIME. THEY ARE PREPARED TO COOPERATE FULLY TO THAT
END. SINCE ONE IS CONCERNED HERE WITH A WORLD WIDE INTEREST,
AND DISCRIMINATION SHOULD BE AVOIDED, THEY PREFER A GLOBAL
SOLUTION WITHIN THE IAEA FRAMEWORK. SHOULD THIS NOT BE
ESTABLISHED IN TIME, THEN THEY FEEL THAT AN AD HOC REGIME OUGHT
TO BE SET UP WITH BRAZIL.

5. AGAINST THIS BACKGROUND THE GOVERNMENT HAS VIGOROUSLY ADVOCATED
AGREEMENTS DULY OBSERVING THE CONTENTS OF THE RESOLUTIONS. AT
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THE OUTSET OF THE DISCUSSIONS IT APPEARED, HOWEVER, THAT THE TWO PARTNERS HAVE SERIOUS DOUBTS WHETHER THE DESIRED ARRANGEMENTS FOR PLUTONIUM STORAGE REGIME CAN BE EFFECTUATED BEFORE SUPPLIES TO BRAZIL COMMENCE. AT ANY RATE THEY DO NOT WISH TO COMMIT THEMSELVES NOW TO A CONDITION STIPULATING THAT SUCH A REGIME MUST BE ESTABLISHED BEFORE THE FIRST DELIVERY TO BRAZIL TAKES PLACE. THEY CONTINUED TO BASE THEMSELVES ON THE AGREED DRAFT EXCHANGE OF NOTES IN JANUARY, BUT PROVED TO BE PREPARED TO INVESTIGATE IN HOW FAR INTERPRETATIVE DECLARATIONS COULD BE ADDED THERETO. THE DECLARED EXPLICITLY THAT THEY WERE DOING SO IN ORDER TO MAKE POSSIBLE A CONTINUED URENCO COOPERATION WHICH THEY LIKEWISE GREATLY DESIRE.

6. IN ORDER TO REMAIN DIRECTLY INVOLVED IN THE NON-PROLIFERATION POLICY VIA THE URENCO COOPERATION AND KNOWING THAT SUPPLIES TO BRAZIL WILL TAKE PLACE AT ANY RATE, THE GOVERNMENT HAS FELT THAT IT SHOULD CONTINUE NEGOTIATIONS. IN SO DOING IT INVESTIGATED WHETHER, BASING ITSELF ON THE IDEA UNDERLYING RESOLUTION NO 19, IT WOULD NOT BE POSSIBLE TO GIVE AT LEAST A STRICTER DEFINITION TO THE AGREED DRAFT EXCHANGE OF NOTES OF JANUARY.

7. THE NETHERLANDS THEN ENDEAVORED TO HAVE AN INTERPRETATIVE DECLARATION ACCEPTED, WHICH WOULD GUARANTEE THAT THE USED FISSIONABLE MATERIALS BE STORED IN BRAZIL UNTIL A GLOBAL OR AD HOC REGIME IS ESTABLISHED. THESE ENDEAVORS HAVE NOT BEEN SUCCESSFUL, BECAUSE THE PARTNERS FELT THAT THIS WOULD EXCEED THE FRAMEWORK OF AN INTERPRETATIVE DECLARATION. THEY FINALLY VOICED PREPAREDNESS TO MAKE A DECLARATION AT THE EXCHANGE OF THE DIPLOMATIC NOTES FIXING THE CONDITIONS FOR THE SUPPLIES TO BRAZIL. THIS DECLARATION WOULD STATE THAT THE FOUR GOVERNMENT WILL PROMOTE THE ESTABLISHMENT OF AN IAEA PLUTONIUM STORAGE REGIME BASED ON ARTICLE XII A 5 OF THE IAEA CONSTITUTION AND, IN THE EVENT SUCH A SYSTEM IS NOT AVAILABLE IN TIME, WILL SEEK UNCLASSIFIED

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TO ESTABLISH AN AD HOC REGIME NOT LATER THAN TWO YEARS BEFORE URENCO-SUPPLIED ENRICHED URANIUM CAN BE REPROCESSED IN BRAZIL. IT ALSO FOLLOWS FROM THIS DECLARATION THAT EITHER THE GLOBAL STORAGE REGIME OR THE AD HOC REGIME WILL BE IN OPERATION AT THE MOMENT REPROCESSING TAKES PLACE. THE TEXT OF THIS DECLARATION IS APPENDED TO THIS LETTER AS AN ANNEX. THE PARTNERS HAVE MADE IT ABSOLUTELY CLEAR THAT THIS IS THE UTMOST LIMIT TO WHICH THEY ARE PREPARED TO GO.

8. IN A SUBSEQUENT INTERVIEW OF THE MINISTER OF FOREIGN AFFAIRS WITH MR EKLUND, DISCUSSING THE POSSIBILITIES OF IAEA ACTION, THE LATTER TOLD THE IAEA BOARD OF GOVERNORS IN VIENNA ON JUNE 6 THAT A STUDY OF THE IAEA SECRETARIAT ON PLUTONIUM STORAGE WOULD BE FORWARDED TO THE GOVERNMENTS OF THE MEMBER-

STATES SHORTLY. A WORKING GROUP OF EXPERTS WILL COMMENCE CONSULTATIONS ON A GENERAL PLUTONIUM STORAGE REGIME ON THE BASIS OF THE SECRETARIAT'S STUDY AFTER THE GENERAL IAEA CONFERENCE IN SEPTEMBER. THE INTERNATIONAL FUEL CYCLE EVALUATION (INFCE) WILL BE KEPT INFORMED OF THE PROGRESS OF THE IAEA CONSULTATIONS.

9. THE GOVERNMENT IS CONVINCED, ON THE BASIS OF THE ABOVE, THAT THERE ARE ENOUGH SAFEGUARDS THAT A STORAGE REGIME FOR PLUTONIUM IN ANY CASE WILL BE READY WHEN REPROCESSING IN BRAZIL STARTS. CONSEQUENTLY THE GOVERNMENT BELIEVES THAT IT MUST ACCEPT THE BRITISH-GERMAN COUNTERPROPOSAL REFERRED TO ABOVE IN POINT 7. MEANWHILE IT HAS AT ITS DISPOSAL EVIDENCE THAT THIS PROPOSAL WILL BE ACCEPTABLE ALSO TO BRAZIL.

10. ALTHOUGH THOSE CONDITIONS DO NOT GUARANTEE IMPLEMENTATION OF RESOLUTION NO 19 TO THE LETTER, THE GOVERNMENT FEELS THAT, TAKEN TOGETHER, THEY DO AT ANY RATE JUSTICE TO THE SPIRIT OF

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O R 211326Z JUN 78
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THIS RESOLUTION AND OFFER SUFFICIENT GUARANTEES THAT THE URANIUM SUPPLIED TO BRAZIL WILL NOT BE USED FOR OTHER THAN PEACEFUL PURPOSES. IN THE COMING YEARS THE GOVERNMENT WILL CONTINUE TO STRIVE VIGOROUSLY FOR THE EARLIEST POSSIBLE

ESTABLISHMENT OF A PLUTONIUM STORAGE REGIME AND WILL REMAIN
ACTIVE IN THAT SPIRIT TO EFFECTUATE THE INTENTIONS OF
RESOLUTIONS NO 19 AND NO 20. END TEXT

11. FOLLOWING IS TEXT OF THE DECLARATION MENTIONED IN ITEM 7.
BEGIN TEXT: THE FOLLOWING IS MY GOVERNMENT'S UNDERSTANDING,
SHARED BY OUR PARTNERS, AS TO WHAT THE EXCHANGE OF NOTES WILL
MEAN.

WE TAKE IT THAT THIS VIEW IS SHARED BY THE BRAZILIAN
GOVERNMENT, AND CAN THEREFORE BE CONSIDERED AS A COMMON INTER-
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PRETATION AMONG THE FOUR GOVERNMENTS.

ALL FOUR PARTIES WILL PROMOTE THE ESTABLISHMENT OF AN
IAEA PLUTONIUM STORAGE SCHEME BASED ON ARTICLE XIII A5, AND,
FAILING THAT, WILL SEEK TO ESTABLISH AN AD HOC SCHEME TO TAKE
EFFECT BEFORE REPROCESSING IN BRAZIL OF URENCO-ENRICHED
FUEL TAKES PLACE.

IN THE EVENT THAT NO IAEA REGIME HAS BEEN ESTABLISHED
BY A DATE NOT LESS THAN TWO YEARS BEFORE URENCO-SUPPLIED
FUEL IS DUE TO BE REPROCESSED IN BRAZIL, THE FOUR PARTIES WILL
WORK TOGETHER TO ESTABLISH AN AD HOC REGIME.

IT IS THE UNDERSTANDING OF ALL FOUR PARTIES THAT ONE
OR OTHER OF THESE SCHEMES WILL BE READY FOR OPERATION BY THE
TIME THAT ANY SUCH REPROCESSING TAKES PLACE. END TEXT.
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